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12

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 In re CONNETICS SECURITIES
LITIGATION

Case No. 07-CV-02940 SI

18 **STIPULATION TO CONSOLIDATE
19 ACTIONS**

20 Gallant, et al.

Case No. 07-CV-05826 SI

21 v.

22 Connetics Corporation, et al.
23

1 This Stipulation is entered into by and among Lead Plaintiff Teachers' Retirement
2 System of Oklahoma ("Lead Plaintiff") and defendants Connetics Corp., Thomas G. Wiggans, C.
3 Gregory Vontz, John Higgins, Lincoln Krochmal, Alexander J. Yaroshinsky and Victor E. Zak
4 ("Defendants") to consolidate the above-captioned cases pursuant to Fed. R. Civ. P. 42(a).

5 WHEREAS, the action *In re Connetics Securities Litigation*, C 07-02940-SI ("*In re*
6 *Connetics*")*,* was transferred from United States District Court for the Southern District of New
7 York on or about June 6, 2007, and assigned to this Court;

8 WHEREAS, the action *Gallant, et al. v. Connetics Corporation, et al.*, 07-CV-05826-SI
9 (the "*Gallant Action*") was also transferred from United States District Court for the Southern
10 District of New York;

11 WHEREAS, prior to the transfer, *In re Connetics* and the *Gallant Action* were
12 consolidated and the Teachers' Retirement System of Oklahoma was appointed Lead Plaintiff
13 pursuant to the Opinion and Order of the United States District Court for the Southern District of
14 New York, Case Nos. 06-11496 and 06-12875, dated December 14, 2006 (the "Consolidation
15 Order");

16 WHEREAS, on April 17, 2008, this Court entered a Related Case Order finding *In re*
17 *Connetics* and the *Gallant Action* are related (Docket No. 91);

18 WHEREAS, the parties to this stipulation agree that consolidating the above-captioned
19 cases, pursuant to Fed. R. Civ. P. 42(a) and the Consolidation Order, will promote judicial
20 economy, efficiency and effective case management;

21 IT IS THEREFORE STIPULATED AND AGREED by Lead Plaintiff and Defendants,
22 through their respective counsel of record that, subject to the Court's approval, *In re Connetics*
23 and the *Gallant Action* are related and shall be consolidated for all further proceedings under the
24 caption: *In re Connetics Securities Litigation*, Case No. 07-CV-02940-SI.

1 Dated: August 19, 2008

Respectfully submitted,

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BERNSTEIN LITOWITZ BERGER
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4 By: /s/ Takeo A. Kellar

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11 Dated: August 19, 2008

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19 *Attorneys for Defendants Connetics Corp., Thomas
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Lincoln Krochmal*

20 Dated: August 19, 2008

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28 *Attorneys for Defendant Alexander J.
Yaroshinsky*

1 Dated: August 19, 2008

2 /s/ Victor E. Zak

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4 Pro Se Defendant
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8
9 Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest
10 under penalty of perjury that concurrence in the filing of the document has been obtained from
11 Dean S. Kristy, Shirli Fabbri Weiss and Victor Zak.

12 * * *

13 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

14
15
16 DATED: _____ 2008

17 _____
18 THE HONORABLE SUSAN ILLSTON
19 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I, Kristina L. Sousek, do hereby certify that on this 19th day of August, 2008, a true and correct copy of the foregoing

STIPULATION TO CONSOLIDATE ACTIONS

was filed electronically. Those attorneys who are registered with the Electronic Case Filing ("ECF") System may access this filing through the Court's system, and notice of this filing will be sent to the parties by operation of the Court's ECF System. Attorneys not registered with the Court's ECF system will be duly and properly served via Federal Express or U.S. Mail (as indicated on the attached Service List), in accordance with the Federal Rules of Civil Procedure and the Court's Local Rules.

I further declare that, pursuant to Civil L.R. 23-2, on this date I served copies of the above documents on the Securities Class Action Clearinghouse by electronic mail through the following electronic mail address provided by the Securities Class Action Clearinghouse:

jcarlos@law.stanford.edu

/s/ Kristina L. Sousek

Kristina L. Sousek

Service List

In re CONNETICS SECURITIES LITIGATION
Case No.: 07-02940

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